PTO/SB/64 (09-06) Approved for use through 03/31/2007. OMB 0651-0031

U.S. Patent and Trademark Office; U.S. DEPARTMENT OF COMMERCE Under the Paperwork Reduction persons are required to respond to a collection of information unless it displays a valid OMB control number.

PETITION FOR REVIVAL OF AN APPLICATION FOR PATENT **ABANDONED UNINTENTIONALLY UNDER 37 CFR 1.137(b)**

Docket Number (Optional)

INNVA-001A

First named inventor: Larry D. McKenna

Application No.: 10/765,369

Art Unit: 3744

Filed: 01/27/2004

Examiner: Mohammad M. Ali

Title: PRE-COOLING SYSTEM FOR AN AIR CONDITIONING CONDENSER

Attention: Office of Petitions **Mail Stop Petition** Commissioner for Patents P.O. Box 1450 Alexandria, VA 22313-1450 FAX (571) 273-8300

> NOTE: If information or assistance is needed in completing this form, please contact Petitions Information at (571) 272-3282.

The above-identified application became abandoned for failure to file a timely and proper reply to a notice or action by the United States Patent and Trademark Office. The date of abandonment is the day after the expiration date of the period set for reply in the office notice or action plus an extensions of time actually obtained.

APPLICANT HEREBY PETITIONS FOR REVIVAL OF THIS APPLICATION

NOTE: A grantable petition requires the following items:

- (1) Petition fee;
- (2) Reply and/or issue fee;
- (3) Terminal disclaimer with disclaimer fee required for all utility and plant applications filed before June 8, 1995; and for all design applications; and
- (4) Statement that the entire delay was unintentional.

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1.Petition fee X Small entity-fee \$ 750.00 (37 CFR 1.17(m)). Applicant clair	rns small entity status. See 37 CFR 1.27.
Other than small entity – fee \$ (37 CFR 1.17(r	m))
2. Reply and/or fee A. The reply and/or fee to the above-noted Office action in	
the form of the filing of a continuation application by New Counsel/New Correspondence Addre	(identify type of reply):
has been filed previously on X is enclosed herewith.	02/20/2007 SDENBOB1 00000003 10765369
B. The issue fee and publication fee (if applicable) of \$	01 FC:2453 750.00 0
has been paid previously on is enclosed herewith.	·
[Page 1 of 2]	

This collection of information is required by 37 CFR 1.137(b). The information is required to obtain or retain a benefit by the public which is to file (and by the USPTO to process) an application. Confidentiality is governed by 35 U.S.C. 122 and 37 CFR 1.11 and 1.14. This collection is estimated to take 1.0 hour to complete, including gathering, preparing, and submitting the completed application form to the USPTO. Time will vary depending upon the individual case. Any comments on the amount of time you require to complete this form and/or suggestions for reducing this burden, should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, U.S. Department of Commerce, P.O. Box 1450, Alexandria, VA 22313-1450. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO: Mail Stop Petition, Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.

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numbers (other than a check or credit card authorization form PTO-2038 submitted for payment purposes) is never required by the USPTO to support a petition or an application. If this type of personal information is included in documents submitted to the USPTO, petitioners/applicants should consider redacting such personal information from the documents before submitting them to the USPTO. Petitioner/applicant is advised that the record of a patent application is available to the public after publication of the application (unless a non-publication request in compliance with 37 CFR 1.213(a) is made in the application) or issuance of a patent. Furthermore, the record from an abandoned application may also be available to the public if the application is	Terminal disclaimer with disclaimer fee				
A terminal disclaimer (and disclaimer fee (37 CFR 1.20(d)) of \$ for a small entity or \$ for other than a small entity) disclaiming the required period of time is enclosed herewith (see PTO/SB/63). 4. STATEMENT: The entire delay in filing the required perly from the due date for the required reply until the filing of a grantable petition under 37 CFR 1.137(b) was unintentional. (NOTE: The United States Patent and Trademark Office may require additional information if there is a question as to whether either the abandonment or the delay in filing a petition under 37 CFR 1.137(b) was unintentional (MPEP 711.03(c), subsections (III)(c) and (IV).] WARNING: Petitioner/applicant is cautioned to avoid submitting personal information in documents filed in a patent application that may contribute to identity theft. Personal information such as social security numbers, bank account numbers, or credit card authorization form PTO-2038 submitted for payment purposes) is near required by the USPTO to support a petition or an application. If this type of personal information is included in documents submitted to the USPTO. Petitioner/applicant is advised that the record of a patent application is available to the public after publication that the proposal information from the documents before authorization form PTO-2038 submitted for payment publication request in compliance with 37 CFR 1.13(1a) is made in the application or in suance of a patent. Furthermore, the record from an abandoned application may also be available to the public if the application is referenced in a published application or in suance of a patent. Furthermore, the record from an abandoned application may also be available to the public if the application is referenced in a published application form proposal publication forms PTO-2038 submitted for payment/bugoses are not retained in the proposal formation from the documents and therefore are not publicly available. Viction of the proposal publication in the proposal publication from the document f					
For other than a small entity) disclaiming the required period of time is enclosed herewith (see PTO/SB/63). 4. STATEMENT: The entire delay in filing the required reply from the due date for the required reply until the filing of a grantable petition under 37 CFR 1.137(b) was unintentional. [NOTE: The United States Patent and Trademark Office may require additional information if there is a question as to whether either the abandonment or the delay in filing a petition under 37 CFR 1.137(b) was unintentional (MPEP 711.03(c), subsections (III)(C) and (ID).] WARNING: Petitioner/applicant is cautioned to avoid submitting personal information in documents filed in a patent application that may contribute to identity theft. Personal information such as social security numbers, bank account numbers, or redict card numbers (other than a check or redict card authorization form PTO-2038 submitted for payment purposes) is never required by the USPTO to support a petition or an application. If this type of personal information is included in documents submitted to the USPTO. Petitioner/applicant is advised that the record of a patent application is available to the public of the use of a patent. Petitioner/applicant is advised that the record of a patent application is available to the public after publication of the application (unless a non-publication request in compliance with 37 CFR 1.21(3) is made in the application of the application of the application of a patent. Perioder and authorization forms PTO-2038 submitted for payment process are magnetismed in the application file and therefore are not publicly available. Kit M. Stetina, c/o Stetina Brunda et al Typed or printed name 75 Enterprise, Suite 250 Address Enclosures: X Fee Payment Additional sheets containing statements establishing unintentional delay Other: CERTIFICATE OF MAILING OR TRANSMISSION [37 CFR 1.8(a)] Terminal Disclaimer Form CERTIFICATE OF MAILING OR TRANSMISSION [37 CFR 1.8(a)] Patents, P. O. Box 1450, Alexandria, VA 22331-1450. Tr	X Since this utility/plant application was filed on or after June 8, 19	995, no terminal disclaimer is required.			
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Registration Number, if applicable Typed or printed name Registration Number, if applicable Typed or printed name Registration Number, if applicable Typed or printed name Telephone Number Telephone Number Aliso Viejo, CA 92656 Address Address Reply Terminal Disclaimer Form Additional sheets containing statements establishing unintentional delay Other: CERTIFICATE OF MAILING OR TRANSMISSION [37 CFR 1.8(a)] I hereby certify that this correspondence is being: Deposited with the United States Postal Service on the date shown below with entities by 3516 US package as first class mail in an envelope addressed to: Mail Stop Petition, Commissioner for Patents, P. O. Box 1450, Alexandria, VA 22313-1450. Transmitted by facsimile on the date shown below to the United States Patent and Trademark Office at (571) 273-8300. Signature	contribute to identity theft. Personal information such as social security numbers (other than a check or credit card authorization form PTO-2038 submittee USPTO to support a petition or an application. If this type of personal information to the USPTO. Petitioner/applicants should consider redacting such personal information to the USPTO. Petitioner/applicant is advised that the record of a patent application (unless a non-publication request in compliance with 37 CFR of a patent. Furthermore, the record from an abandoned application may also referenced in a published application or an issued patent (see 37 CFR 1.14).	umbers, bank account numbers, or credit card itted for payment purposes) is never required by mation is included in documents submitted to the ation from the documents before submitting them ication is available to the public after publication 1.213(a) is made in the application) or issuance to be available to the public if the application is Checks and credit card authorization forms PTO-			
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Typed or printed name 75 Enterprise, Suite 250 Address Telephone Number Aliso Viejo, CA 92656 Address Enclosures: X Fee Payment Registration Number, if applicable Address Enclosures: X Fee Payment Additional sheets containing statements establishing unintentional delay Other: CERTIFICATE OF MAILING OR TRANSMISSION [37 CFR 1.8(a)] I hereby certify that this correspondence is being: Deposited with the United States Postal Service on the date shown below with springer by 35 fully peetage as first class mail in an envelope addressed to: Mail Stop Petition, Commissioner for Patents, P. O. Box 1450, Alexandria, VA 22313-1450. Transmitted by facsimile on the date shown below to the United States Patent and Trademark Office at (571) 273-8300. Date Signature Signature	Signature	Date			
Typed or printed name 75 Enterprise, Suite 250 Address Telephone Number Aliso Viejo, CA 92656 Address Enclosures: X Fee Payment Registration Number, if applicable Address Enclosures: X Fee Payment Additional sheets containing statements establishing unintentional delay Other: CERTIFICATE OF MAILING OR TRANSMISSION [37 CFR 1.8(a)] I hereby certify that this correspondence is being: Deposited with the United States Postal Service on the date shown below with springer by 35 fully peetage as first class mail in an envelope addressed to: Mail Stop Petition, Commissioner for Patents, P. O. Box 1450, Alexandria, VA 22313-1450. Transmitted by facsimile on the date shown below to the United States Patent and Trademark Office at (571) 273-8300. Date Signature Signature	Kit M. Stetina, c/o Stetina Brunda et al	29445			
Address Aliso Viejo, CA 92656 Address Enclosures: X Fee Payment Reply Terminal Disclaimer Form Additional sheets containing statements establishing unintentional delay Other: CERTIFICATE OF MAILING OR TRANSMISSION [37 CFR 1.8(a)] I hereby certify that this correspondence is being: Deposited with the United States Postal Service on the date shown below with spisocopy 3516 US poetage as first class mail in an envelope addressed to: Mail Stop Petition, Commissioner for Patents, P. O. Box 1450, Alexandria, VA 22313-1450. Transmitted by facsimile on the date shown below to the United States Patent and Trademark Office at (571) 273-8300. Date Signature Signature					
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	Other:	·			

Applicants:	Larry D. McKenna)	Confirmation No.	
Serial No.:	10/765,369)	Art Unit:	3744
Filed:	January 27, 2004))	Examiner:	Mohammed M. Ali
For:	PRE-COOLING SYST AIR CO CONDENSOR	EM FOR AN) NDITIONING)		

D STATES PATENT AND TRADEMARK OFFICE

PETITION TO REVIVE

Mail Stop PETITION Commissioner for Patents P.O. Box 1450 Alexandria, VA 22313-1450

Dear Sir:

Applicant submits herewith the following documents in relation to this Petition to Revive the above-identified application which went abandoned unintentionally on May 18, 2006:

- 1. Petition for Revival of An Application for Patent Abandoned Unintentionally Under 37 CFR 1.137(b);
- 2. A check in the amount of \$750.00 (small entity fee for Petition under 37 CFR 1.17(m));
- 3. Response to the outstanding Office Action in the form of a Continuation Application which includes a copy of the original application (20 pages) and drawings (6 pages);
- 4. An accompanying Utility Patent Application Transmittal, Fee Transmittal, and a check in the amount of \$500 for filing fees; and
 - 5. A copy of the original Declaration/Power of Attorney.

The Petition to Revive and accompanying documents are being submitted by counsel, Kit M. Stetina, whose correspondence address is indicated on the Application Transmittal Form and identified below.

PETITION TO REVIVE

Should any additional fee be required, please charge Deposit Account Number 19-4330.

Respectfully submitted,

ate: 2/19/07 By

Customer No.: 007663

Kit M. Stetina

Registration No. 29,445

STETINA BRUNDA GARRED & BRUCKER

75 Enterprise, Suite 250

Aliso Viejo, California 92656 Telephone: (949) 855-1246

Fax: (949) 855-6371

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